

MOY CHIN SHEE

AUGUST 20 (legislative day, AUGUST 1), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 519]

The Committee on the Judiciary, to which was referred the bill (S. 519) for the relief of Moy Chin Shee, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That in the administration of the immigration and naturalization laws, Moy Chin Shee, a former resident of the United States and the mother of seven United States citizen children, shall be deemed to be a returning resident under the provisions of section 4 (b) of the Immigration Act of 1924, as amended, if otherwise admissible to the United States.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to provide for the readmission into the United States of Mrs. Moy Chin Shee, who is a former resident of the United States and the mother of seven United States citizen children.

STATEMENT OF FACTS

The beneficiary of the bill is a 56-year-old native and citizen of China who resided in the United States with her husband for approximately 25 years. She has seven native-born United States citizen children, six of whom are residing in the United States while the other resides with her in China. She returned to China with her husband

and children in 1934. The husband died in Hong Kong in 1947. Six of the children returned to the United States while one daughter remained in China with the mother. The bill would enable the mother to return to the United States to join her citizen children.

A letter dated July 23, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

JULY 23, 1951.

HON. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 519) for the relief of Moy Chin Shee, an alien.

The bill would provide that notwithstanding the quota limitations of the immigration laws, upon application hereafter filed, an immigration visa may be issued, and admission for permanent residence granted to Moy Chin Shee, mother of seven American citizens, if she is otherwise admissible under the immigration laws. It would also direct the Secretary of State to instruct the quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

The files of the Immigration and Naturalization Service of this Department disclose that Moy Chin Shee, a 56-year-old widow, is a citizen of China, presently residing in Kowloon, Hong Kong, China, with her United States born daughter, Helen Moy. According to the alien's son, Mr. Henry K. L. Moy, his mother was married at the age of 16 in China to Moy Kwon Kie, a Chinese citizen. Mr. Moy stated that his parents left China in 1911, destined to New York City, where they resided until 1934, during which time his father worked with the Sun Kwong On Co. in an export-import business and with the Hong Kong & Shanghai Bank Corp. Mrs. Moy has seven United States born children, five daughters and two sons, six of whom reside in the United States. Mr. Moy further stated that in 1934, his parents and all the children including himself proceeded to Hong Kong, China, that their father died in Hong Kong in 1947, and that the daughter, Helen, has remained with the mother and intends to return to this country if the mother is permitted to enter as an immigrant. Mr. Moy presently resides in Alexandria, Va., and since January 1946 has been employed in the Adjutant General's Office, Washington, D. C. From August 1942 until October 1945 he was a member of the United States Army.

The Chinese racial quota, to which the alien is chargeable, is oversubscribed and a quota immigration visa is not readily obtainable. In the absence of general or special legislation, she will be unable to come to the United States in the near future to join her citizen children.

Whether, under the circumstances in this case, the bill should be enacted presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Herbert Lehman, the author of the bill, has submitted the following additional information in support of the bill:

TIFFIN TEA CO., INC.,
New York 13, N. Y., February 9, 1951.

Re Mrs. Moy Chin Shee

The Honorable PAT A. McCARRAN,
*Chairman, Senate Judiciary Committee,
Senate Office Building, Washington 25, D. C.*

SIR: At the request of the family of Mr. K. K. Moy I respectfully submit the following reference on Mrs. Moy Chin Shee in support of her application for admission to this country.

Prior to her departure from this country, some 15 years ago, Mrs. Moy had resided in New York for approximately 20 years, and was the neighbor of my family during that period. I resided at 34 Mott Street then, living on the third floor, Mrs. Moy on the fourth floor.

I have known Mrs. Moy for 15 years until her departure. Each of her children I have known personally and have continued this close friendship to this day. In that period Mrs. Moy devoted her time to the duties of housewife and particularly those of a mother. To my knowledge she has never been a member of any subversive organization and had always conducted herself in a manner exemplary of excellent character and loyalty to the United States.

Mr. K. K. Moy, deceased husband of Mrs. Moy, during his lifetime was the manager of Sun Kwong On Co., one of the oldest established firms in New York's Chinatown area. Additionally, he was connected with the Hong Kong & Shanghai Banking Corp. for many years. In his later years he was recognized as one of the leading businessmen of the area.

Respectfully,

PETER LEE.

WING TUCK TRADING CO., INC.,
New York 2, N. Y., February 20, 1951.

SENATE JUDICIARY COMMITTEE,
Senate Office Building, Washington 25, D. C.
(Attention of Hon. Pat. A. McCarran, chairman.)

GENTLEMEN: In reference to a bill by the Honorable Mr. Lehman for the relief of Moy Chin Shee, S. 519, Eighty-second Congress, 1st session, January 17, 1951, I have personally known Moy Chin Shee for the past 25 years and that Moy Chin Shee is a responsible individual.

I have also known her seven children listed here: Pearl, Lily, Henry, Rose, Hazel, Harry, and Helen.

In fact, the first four mentioned above were my schoolmates during grammar and high school. Henry and I were together in New York University.

Moy Chin Shee's husband, the late K. K. Moy, was a prominent and well respected person in the New York Chinese community. Mr. K. K. Moy was formerly associated with Sun Kwong On Co. and the Hong Kong & Shanghai Banking Corp., both of New York, N. Y.

I would respectfully urge that the committee give special attention to this case so that immediate clearance can be obtained in order that Moy Chin Shee can come to America to join her children all of whom are American citizens by birth.

The writer is an American citizen by birth and now residing at 400 West Fifty-sixth Street, New York City. I was born on July 25, 1916, at New York City and that the statements made in the foregoing letter are true and correct to the best of my knowledge and belief, I remain,

Respectfully yours,

HARRY SHECK THLE LEE.

The bill has been amended in order to avoid the creation of a precedent for the issuance of immigration visas by legislative enactment in particular cases.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 519), as amended, should be enacted.

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